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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,763	12/03/2003	John A. Helgenberg	TN322	7575

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EXAMINER

KING, ANITA M

ART UNIT PAPER NUMBER

3632

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/727,763

Applicant(s)

HELGENBERG ET AL.

Examiner

Anita M. King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-14 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 5, 15 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/3/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

This is the first office action for application number 10/727,763, System and Method for Mounting a Computer Component, filed on December 3, 2003.

Drawings

The drawings are objected to because Figs. 3 and 8 are exploded views and should be bracketed, see MPEP 608.02; reference character "16E" is not in Fig. 3 as suggested by the specification on page 10, line 1; and the hole "79" in Fig. 8 appears to be incorrect since the hole is part of the extension "74" and extension "74" is located under the rail "14" in Fig. 8. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "16" has been used to designate both a rail in Fig. 1 and a vertical portion of the first support in Fig. 2 and reference character "16J" has been used to designate both a bottom surface in Fig. 5 and an end in Fig. 6. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "16K". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of

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any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informality: reference character "16L" is referring to an end on page 13, line 6 and a recess on page 17, line 1.

Appropriate correction is required.

Claim Objections

Claims 7, 8, 11, and 17 are objected to because of the following informalities: in claim 7, line 1, --at least one-- should be inserted before "aperture"; in claim 8, line 1 a comma should be inserted after "component"; in claim 11, line 2, the recitation of "the rail" appears to be incorrect and should be --the support--; and in claim 17, line 2, --the steps of-- should be inserted after "comprising". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 8-16, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitations "the plurality of detents" in line 1 and "said surface" in line 2. There is insufficient antecedent basis for these limitations in the claim.

Claim 8 recites the limitation ""the other" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 has ambiguous claim terminology where it is unclear whether latter recitations of originally cited terminology are intended to refer to the originally cited terms. It is unclear if "at least one extension," bridging lines 1 and 2 of the claim is intended to refer to the original recitation of the term "an extension" in line 6 of claim 8.

Claim 12 recites the limitation "the recess" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "the recess" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "the recess" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 has ambiguous claim terminology where it is unclear whether latter recitations of originally cited terminology are intended to refer to the originally cited terms. It is unclear if "an extension," in line 2 of the claim is intended to refer to the original recitation of the term "an extension" bridging lines 4 and 5 of claim 17.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 8-14, 17, 18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 3,059,986 to Miller, Jr., hereinafter, Miller. Miller discloses a system capable of mounting a computer component, the system comprising: at least one rail (20), the rail having first and second mounting portions, the first mounting portion (24) defining a recess and the second mounting portion (23) having at least one detent (23); first and second supports, the first support (25) having an extension extending into the recess of the first mounting portion of the rail and allowing sliding of the first mounting portion of the rail relative to the first support, the second support (17) defining at least one aperture receiving the detent of the second mounting portion of the rail and limiting sliding of the second mounting portion of the rail relative to the second support; wherein the recess extends adjacent a surface of the rail and the detent extends from the surface; wherein a width of the extension is greater than a width of the recess; and wherein the recess is oriented along a plane and the extension is positioned in the plane of the recess when the extension is in the first position.

Miller inherently teaches the method of mounting a rail (20) in a frame (10), the method comprising the steps of: positioning the rail adjacent first and second support; engaging a recess in a first mounting portion of the rail with an extension of the first support; engaging a detent on a second mounting portion of the rail with an aperture formed in the second support; sliding the rail between first and second positions; and moving the extension.

Claims 1-4, 6, 17, 18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,833,337 to Kofstad. Kofstad discloses a system for mounting a computer component, the system comprising: at least one rail (54), the rail having first and second mounting portions, the first mounting portion defining a recess (defined by the flanges of 54) and the second mounting portion having at least one detent (82a); first and second supports, the first support (48) having an extension extending into the recess of the first mounting portion of the rail and allowing sliding of the first mounting portion of the rail relative to the first support, the second support (68) defining at least one aperture receiving the detent of the second mounting portion of the rail and limiting sliding of the second mounting portion of the rail relative to the second support; wherein the second mounting portion has a plurality of detents (821, 82b, 82c, & 82d); wherein the recess extends adjacent a surface of the rail and the detent extends from the surface; and wherein the plurality of detents extend from the surface; wherein the plurality of detents correspond to a plurality of apertures (80a, 80b, 80c, & 80d) defined in the second support.

Kofstad inherently teaches the method of mounting a rail in a frame, the method comprising the steps of: positioning the rail adjacent first and second support; engaging a recess in a first mounting portion of the rail with an extension of the first support; engaging a detent on a second mounting portion of the rail with an aperture formed in the second support; sliding the rail between first and second positions; and moving the extension.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kofstad in view of U.S. Patent 4,225,265 to Hooker et al., hereinafter, Hooker. Kofstad discloses the claimed invention except for the limitation of the aperture having a first portion and second portion, wherein the first portion is sized to receive the detent along an axis of the detent and the second portion is sized to prevent removal of the detent. Hooker discloses a system having a plurality of frame members (36, and 38) wherein the first frame member (36) has an aperture (110) including a first portion (114) and second portion (@112), the first portion being sized to receive a detent (82) of a second member (38) along an axis of the detent and the second portion being sized preventing removal of the detent along the axis of the detent. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the aperture in Kofstad to have included the aperture as taught by Hooker for the purpose of providing an alternative mechanically equivalent interlocking means for attaching the rail to the support which will accommodate various detents used for interlocking the rail to the support.

Allowable Subject Matter

Claims 5, 15, and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 3,371,968 to Loake

U.S. Patent 4,560,212 to Papp et al.

U.S. Patent 5,262,923 to Batta et al.

U.S. Patent 5,722,750 to Chu

U.S. Patent 6,070,957 to Zachrai

U.S. Patent 6,126,255 to Yang

U.S. Patent 6,230,903 to Abbott

U.S. Patent 6,375,290 to Lin et al.

U.S. Patent 6,585,335 to Hwang et al.


The above patents all disclose various types of rail slides.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (703) 308-2162. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anita M. King
Primary Examiner
Art Unit 3632

January 24, 2005